

## **REMARKS**

### **I. Status of the Claims:**

Claims 1-6, 9-28, 31-35 and 38-63 were pending in the application prior to this submission. The Examiner has objected to pending claims 45 and 49, and pending claims 1-6, 9-28, 31-35 and 38-44, 46-48 and 50-63 stand rejected in the previous Final Office Action.

By this amendment, claims 1, 10, 20, 23 and 32 were amended. No new matter has been added, and thus, entry and consideration of this Amendment are respectfully requested.

### **II. Allowable Subject Matter:**

The Examiner has objected to claims 45 and 49 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants acknowledge the Examiner's indication of allowable subject matter in at least claims 45 and 49, and further reserve the right to amend the above claims to include all of the limitations of the base claim and any intervening claims later in the prosecution, if desired.

### **III. Response to Rejections Under 35 U.S.C. §103:**

Claims 1-3, 9-12, 18-25, 31-34, 38-43, 46-48 and 50-53 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,999,721 to Ollis et al. (hereafter "Ollis") in view of U.S. Patent No. 7,046,649 to Awater et al. (hereafter, "Awater"), and further in view of U.S. Patent No. 6,560,443 to Vaisanen et al. (hereafter, "Vaisanen"). Further, Claims 4-6, 13-17, 26-28 and 35 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ollis, Awater and Vaisanen in view of alleged "applicant admitted prior art." In particular, the Examiner alleges that claims 1-6, 9-28, 31-35 and 38-44, 46-48 and 50-63 are rendered obvious in view of various combinations of Ollis, Awater, Vaisanen, and Applicant's admitted prior art.

Ollis is directed to a system that presents a "unified interface" that allows a user to select and communicate with remote devices without having to determine the most appropriate wireless transfer mechanism (abstract). A source device (e.g., the device on which the unified interface is presented to the user) discovers potential destination devices within transmission range and the wireless transfer mechanisms supported by the discovered devices (column 6, lines 39-53). The discovered devices may then be presented to a user in the unified interface, and the

user may further interact with these devices utilizing the unified interface without specifying the wireless transfer mechanism to use, as the most appropriate wireless transfer mechanism may be automatically selected, for example, in accordance with a set of rules (column 7, lines 23-30).

Awatere is directed to a system for ensuring that one transceiver in a dual mode transceiver is not transmitting while the other transceiver, also in the dual mode transceiver, is receiving (abstract). An interoperability device acts to enable transmission in one transceiver at any given time in the dual mode transceiver to ensure that both transceivers are not actively transmitting at once (column 6, lines 34-57). A decision as to which transceiver to activate may be made in view of various criteria, such as user configuration via an interface, the requirements of the device or the device with which a wireless link is desired, etc. (column 6, lines 34-57).

Vaisanen is directed to system for controlling antenna switching in a wireless device (abstract). The Vaisanen system may operate to allow one wireless transceiver to be active (i.e., coupled to an antenna) in only a listening mode while another wireless medium may be both transmitting and receiving. When a signal corresponding to the listening transceiver is detected, an antenna switching control may couple/decouple the wireless transceivers with the antennas in order to prevent a high power transceiver from operating at the same time as a lower power transceiver that can be damaged in such simultaneous operation (column 5, lines 27-34).

Applicants respectfully request reconsideration of the present application in view of the amendments and/or remarks now presented herein. Applicants respectfully assert that at least independent claims 1, 10, 20, 23 and 32, as amended, are distinguishable from the cited references, taken alone or in combination. For example, amended independent claim 1 recites:

1. (Currently Amended) A system, comprising:
  - a host entity configured to utilize a signaling protocol to control the operation of a plurality of communication modules in a device that share a common RF transceiver, the signaling protocol comprising:
    - a first parameter that indicates which of the plurality of communication modules are enabled for use in responding to a host command; and
    - a second parameter that indicates a priority order for operation of the enabled communication modules, as indicated by the first parameter, in response to receiving the host command, wherein the enabled communication modules are configured to operate in

sequence according to the priority order indicated by the second parameter and the received host command.

Claim 1, as amended, clarifies that the various elements of the present invention, in accordance with at least the claimed embodiment, are all situated in one device. In particular, the claimed embodiment of the present invention controls the operation of a plurality of communication modules in a device, the communication modules sharing access to a common RF transceiver also in the device. In addition, amended claim 1 further clarifies that the host entity is controlling the plurality of communication modules using a signaling protocol that includes at least two parameters: a first parameter that indicates which of the plurality of communication modules are enabled for use in responding to a host command, and a second parameter that indicates a priority order for operation of the enabled communication modules.

While Applicants continue to believe that none of the cited references, taken alone or in combination, anticipated or made obvious the previously pending claims with respect to at least the first and second parameters of the signaling protocol, Applicants have herein amended the independent claims to expedite prosecution of the above-identified application, and respectfully assert that claim 1, as amended is clearly distinguishable from any or all of the cited references. More specifically, in addition to the previously argued distinctions with respect to the claimed signaling protocol, Ollis is a system for facilitating communication between a user device and other remote devices discovered within wireless communication range of the user device. Ollis therefore does not recite or imply the claimed elements of the present invention being situated on the same device, and further, does not recite or imply controlling a plurality of radio modules on a device that share an RD transceiver. Instead, Ollis merely performs wireless device discovery, as is generally known in the art, so that a user desiring to communicate with the discovered devices may do so in a transparent manner without worrying about configuration.

Awatar, Vaisanen and Applicants Admitted Prior Art do not recite or imply the claimed aspects of the present invention, as amended. In particular, Applicants respectfully assert that the references neither recite nor imply the limitations of the previously pending claims at least regarding the first and second parameters of the signaling protocol, and further do not teach or suggest the limitations clarified in claim 1 by amendment. Therefore, none of the cited references can cure the various deficiencies discussed above with regard to the Ollis reference.

In view of the above, Applicants respectfully assert that claim 1, as amended, is clearly distinguishable from the cited references, taken alone or in combination. Independent claims 10, 20, 23 and 32 have been amended to include at least the distinguishable elements of claim 1, and therefore, are also believed to be distinguishable from the cited references. All of the pending claims not specifically discussed above depend from claims 1, 10, 20, 23 and 32, and therefore, are distinguishable at least for the reasons discussed above with respect to claim 1. As a result, Applicants respectfully request that the 35 U.S.C. §103(a) rejection now be withdrawn.

**CONCLUSION**

Applicants respectfully submit that this Application is in condition for allowance for which action is earnestly solicited. If a telephone interview would help facilitate prosecution in this Application, the Examiner is invited to contact the undersigned at the number provided.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required by this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4136.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4136.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: May 19, 2008

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